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NOV 06 2000

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REMARKS

Applicants have amended the application to correct the spelling, clerical and grammatical errors. No new matter has been added.

Claims 1-3 have been cancelled and new claims 4-7 have been added.

The Examiner has rejected claims 1-3 over the combination of Shin in view of Webster's 3rd New International Dictionary, Finberg (US Patent 2,930,719) and Horimoto (US Patent 4,620,554). Applicants respectfully traverse this rejection.

As the Examiner notes Shin does not disclose or suggest a composition of this invention. Firstly, Shin discloses preparation of cigarettes from *Eucommia* leaves. It does not disclose or suggest that this composition can be used as a smoking cessation aid. Secondly, as disclosed in the abstract provided by the Examiner Shin discloses mixing glycerine or propylene glycol, licorice, honey and water to obtain a mixture and spraying the mixture on 1 kilogram of dried leaves of *Eucommia Ulmoides* Oliver (I). Therefore, the weight percentage of *Eucommia Ulmoides* Oliver (I) in Shin is 95.3-97.4 weight percent which is higher than the range claimed in this application. As stated on page 3 of the specification if the weight percentage of *Eucommia ulmoides* is higher than 90 weight percent the taste is not that of tobacco and if the weight percent is less than 80 weight percent it is impossible to obtain the taste of tobacco. Therefore, *prima facie* no combination of Shin with any other reference can make the claimed invention obvious.

Finberg discloses a smoking composition not a composition that can be used as a smoking cessation aid. There is no disclosure or suggestion of why licorice is added and it may be because of the use of rutin and niacin. There is no disclosure or suggestion that *Glycyrrhiza glabra* can be used when rutin and niacin are not present.

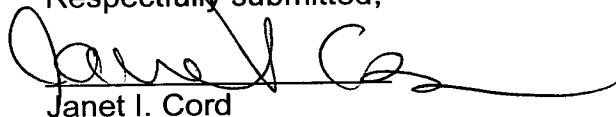
Horimoto (US Patent 4,620,554) discloses a moderating agent of cigarette taste. Horimoto does not disclose a composition that can be used as a

smoking cessation aid. As disclosed in column 1, line 6, the moderating agent of the invention is attached to the top end of the cigarette and the components are not mixed in with the "cigarette" itself. According to column 1, lines 20-21, the presence of the natural beefsteak plant moderates the irritancy of the cigarette.

Therefore, since none of the references describe or suggest a composition that will aid in the cessation of smoking, there is no disclosure or suggestion that the amount of *Eucommia ulmoides* is 80-90 weight percent of the composition and the combination of *Eucommia ulmoides*, *Glycyrrhiza glabra*, and *Perilla frutescens*. It is respectfully requested that the rejection be withdrawn and of the application be passed to issue.

If there are any outstanding issues, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,



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